

**CENTENNIAL, LOT 14, AP
EXPEDITED MINOR SUBDIVISION**

STAFF REPORT FOR THE BOARD OF COUNTY COMMISSIONERS

CASE PLANNER: Shaun Morrell

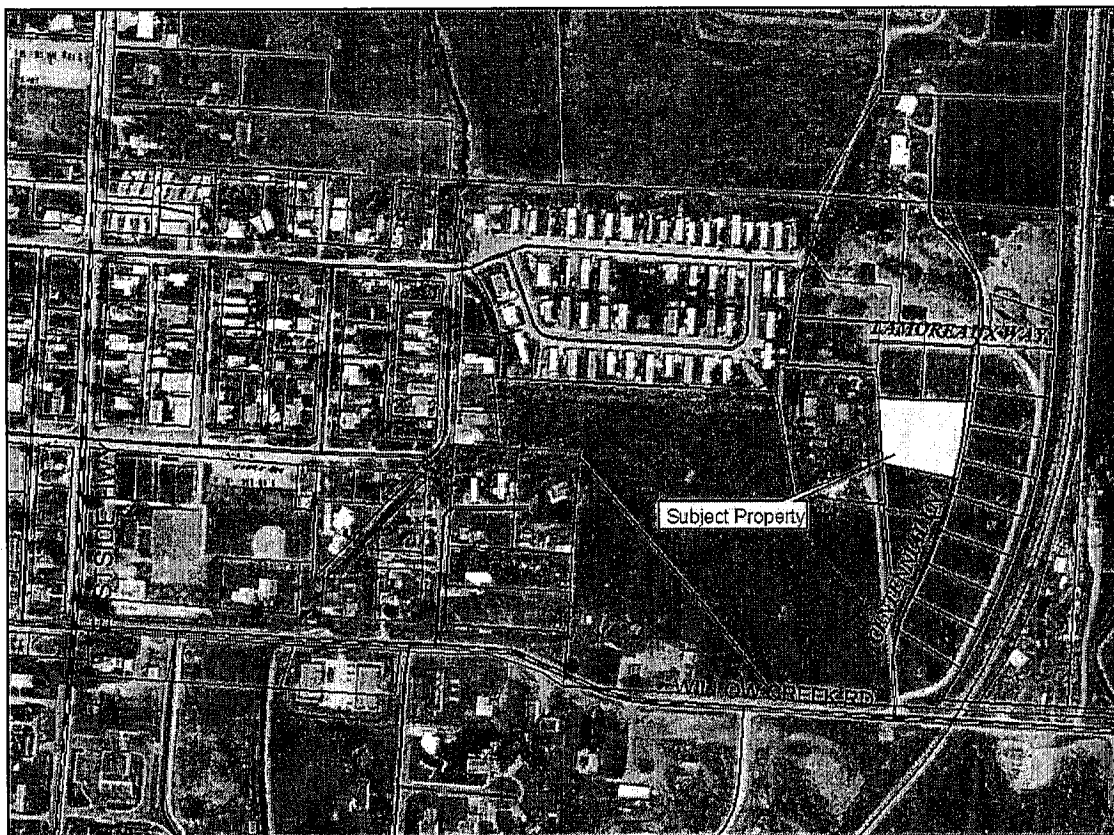
**REVIEWED/
APPROVED BY:** Renee Van Hoven

PUBLIC MEETING: BCC site visit: 3:30 p.m. August 16, 2006
BCC public meeting: 2:00 p.m. August 17, 2006
Deadline for BCC action (35 working days): September 8, 2006

APPLICANT OWNER: K & J Development
843 Peppergrass Lane
Corvallis, MT 59828

REPRESENTATIVE: Shepherd Surveying
320 Adirondac Ave.
Hamilton, MT 59840

LOCATION OF REQUEST: The property is located east of Corvallis on Centennial Lane.



Map 1: Location Map
(Data Source: Ravalli County Planning Department)

**LEGAL DESCRIPTION
OF PROPERTY:**

Lot 14, Centennial, a platted subdivision located in the S1/2 of
Section 33, T7N, R20W, P.M.M., Ravalli County, Montana.

**APPLICATION
INFORMATION:**

The subdivision application was determined complete on July 20,
2006. Agencies were notified of the subdivision proposal. Agency
comments received by the Planning Department are included as
Exhibits A-1 through A-4 of the staff report.

LEGAL NOTIFICATION:

No legal advertisement is required for an expedited minor
subdivision. Notice of the project was posted on the property.
Adjacent property owners were notified of the subdivision by certified
mail postmarked August 1, 2006. No public comments have been
received to date.

**DEVELOPMENT
PATTERN:**

Subject property	Vacant
North	Residential
South	Residential
East	Residential
West	Residential

RAVALLI COUNTY BOARD OF COMMISSIONERS

AUGUST 17, 2006

CENTENNIAL, LOT 14, AP
TWO-LOT EXPEDITED MINOR SUBDIVISION

RECOMMENDED MOTION

That the Centennial, Lot 14, AP Expedited Minor Subdivision be **approved**, based on the findings of fact and conclusions of law in the staff report and subject to the conditions in the staff report.

RECOMMENDED MITIGATING CONDITIONS OF APPROVAL FOR THE SUBDIVISION

1. A document entitled "Notifications to Future Property Owners" that includes the following notifications and the attachments listed below shall be included in the submittal of the final plat to the Planning Department and filed with the final plat:

Notification of Road Maintenance Agreement. Centennial Lane is not maintained by Ravalli County, the State of Montana, or any other governmental entity. Neither the County nor the State assume any liability for lacking or improper maintenance. The lots of this subdivision are party to a Road Maintenance Agreement that was filed with the original Centennial subdivision and outlines which parties are responsible for maintenance and under what conditions. (*Effects on Local Services*)

Notification of Proximity to Montana Rail Link Railroad. This subdivision is located adjacent to the Montana Rail Link railroad grade. Standard operation of the railroad can include elevated noise levels, exhaust fumes, and engine headlights, which may be objectionable to some people. In addition, there are inherent hazards associated with railroad operations. Every train that uses this railroad track will sound a warning whistle at the Willow Creek Road grade crossing, as required by federal law. (*Effects on Public Health and Safety*)

2. Protective covenants for this subdivision shall be submitted with the final plat that include the following provisions:

Waiver of Protest to Creation of RSID/SID. Owners and their successors in interest waive all rights in perpetuity to protest the creation of a city/rural improvement district for any purpose allowed by law, including, but not limited to, a community water system, a community wastewater treatment system, and improving and/or maintaining the roads that access the subdivision, including related right-of-way, drainage structures, and traffic control signs. (*Effects on Local Services*)

Amendment. The covenants filed with the final plat shall state that written governing body approval shall be required for amendments to provisions of the covenants listed above, which are required to be included as a condition of subdivision approval. (*Effects on all six criteria*)

3. The subdividers shall include an RSID/SID waiver in a notarized document filed with the subdivision plat that states the following: Acceptance of a deed for a lot within this subdivision shall constitute the assent of the owners and any successors in interest to any future RSID/SID, based on benefit, for a community wastewater system, community water system, or upgrading roads leading to or within the subdivision, including, but not limited to, paving, curbs and gutters, non-motorized transportation facilities, street widening, and drainage facilities. (*Effects on Local Services*)

4. The applicant shall provide evidence that a contribution in the amount of \$250 has been paid to the Corvallis School District prior to final plat approval. *(Effects on Local Services)*
5. The applicant shall provide a letter from the Corvallis Rural Fire District stating that they have provided the required 1,000 gallons per minute water supply or 2,500 gallons per lot water storage for fire protection for each lot within this subdivision. Alternatively, the applicant may provide evidence of a \$500 contribution made to the Corvallis Rural Fire District with the final plat submittal in lieu of the required water supply or water storage for fire protection. *(Effects on Local Services & Effects on Public Health and Safety)*
6. The subdivider shall provide evidence with the final plat submittal that they have applied for County-issued addresses for each lot within this subdivision. *(Effects on Local Services & Public Health and Safety)*

INTRODUCTION

Centennial, Lot 14, AP is a two-lot expedited minor subdivision proposed on 0.94 acres. The property is located approximately one-half mile east of Corvallis on Willow Creek Road. It is located in the Corvallis School District and the Corvallis Rural Fire District. The proposal is for two (2) single-family residential lots. Both lots will connect to the existing community water system for the Centennial subdivision, but will have individual septic systems. No variances are proposed.

Staff is recommending conditional approval of the subdivision.

SUBDIVISION REPORT

COMPLIANCE WITH PRIMARY SUBDIVISION REVIEW CRITERIA

CRITERION 1: EFFECTS ON AGRICULTURE

Findings of Fact:

1. The property is not currently being used for agriculture.
2. The property is not adjacent to other agricultural properties.
3. There are no Prime Farmland Soils or Farmland of Statewide Importance associated with this property.

Conclusion of Law:

This subdivision will have no significant impacts on agriculture.

CRITERION 2: EFFECTS ON AGRICULTURAL WATER USER FACILITIES

Finding of Fact:

According to the application, the property does not have water rights, and no agricultural water facilities exist on the property.

Conclusion of Law:

This subdivision will have no significant impacts on agricultural water user facilities.

CRITERION 3: EFFECTS ON LOCAL SERVICES

Findings of Fact:

1. Both lots are proposed to be served by Centennial Lane, a privately maintained road. Based on data provided by the applicant's consulting engineer, the Road and Bridge Department has certified that the portion of the road leading to the subdivision meets current County standards (Exhibit A-3).
2. The pro rata share for substandard County-maintained road(s) that provide access to this subdivision from Eastside Highway shall be paid by the applicant prior to final plat approval, as required by the Subdivision Regulations.
3. In a letter dated April 28, 2006, the Corvallis School District requested that proper mitigation measures be taken into account when considering increased impacts to the School District (Exhibit A-1). A condition of plat approval for the original Centennial subdivision required a \$100-per-lot contribution to the School District. For this subdivision, the applicant is proposing a contribution in the amount of \$250 for the additional lot being created. (Condition 4)
4. A Road Maintenance Agreement was filed with the original Centennial subdivision. The proposed lots will be automatically incorporated into the agreement. A notification of the Road Maintenance Agreement shall be included in the Notifications Document. (Condition 1)
5. Water will be provided by connections to the community water system of the Centennial subdivision. A plan showing the proposed connections to the system has been provided with the application.
6. Recorded documents pertaining to the Centennial homeowners' association account for the subsequent subdivision of Lot 14. The lots created through the re-subdivision of Lot 14 will be incorporated into the association's membership and maintenance agreements.
7. The subdivision will be served by individual septic wastewater treatment.
8. To mitigate potential impacts of this subdivision on any potential future public water system, public sewer system, or improvements to the road system, the RSID/SID waiver filed with the final plat shall address these services/facilities. (Conditions 2 and 3)
9. Bitterroot Disposal provides service to this site.
10. The subdivision is located within the Corvallis Rural Fire District. The Corvallis Rural Fire District has provided general comments on subdivision proposals, indicating they have adopted a policy that addresses access, posting of addresses, and water supply requirements. A contribution of

\$500 per lot was made to the Fire District prior to final plat approval for the original Centennial subdivision. The applicant is proposing a \$500 contribution for the additional lot being created with this subdivision. With the mitigating conditions of approval, the subdivision will meet the recommendations of the Fire District. (Conditions 5 and 6)

11. Adequate public services are available to the subdivision.
12. The Ravalli County Sheriff's Office provides law enforcement services to this area.

Conclusion of Law:

With the conditions of approval and requirements of final plat approval, impacts of the subdivision on local services will be mitigated.

CRITERION 4: EFFECTS ON THE NATURAL ENVIRONMENT

Findings of Fact:

1. The proposed subdivision will be served by individual septic systems and connections to the existing community water system of the Centennial subdivision. (Application)
2. Adequate information has been provided to the Environmental Health Department for local subdivision review to occur (Exhibit A-4). The Certificate of Subdivision Approval from the Montana Department of Environmental Health (DEQ) is a requirement of final plat approval.
3. To mitigate air pollution resulting from home heating emissions, protective covenants were filed with the final plat of the Centennial subdivision, stating that the primary heat source for any newly constructed residences must be at least 75% efficient. These covenants pertain to this proposal. (Application)
4. An approved noxious weed and vegetation control plan was filed with the Centennial subdivision plat. The provisions of this plan will continue to apply to this subdivision, meeting the requirements of MCA 7-22-2152: *Revegetation of rights-of-way and areas that have potential for noxious weed infestation.*

Conclusion of Law:

Impacts from this subdivision on the natural environment will be reduced with the requirements of final plat approval.

CRITERION 5: EFFECTS ON WILDLIFE AND WILDLIFE HABITAT

Findings of Fact:

1. Montana Fish, Wildlife, and Parks (MFWP) recommended that the "Living with Wildlife" covenants be filed with this subdivision (Exhibit A-2). The covenants filed with the Centennial subdivision will pertain to this subdivision. These covenants include all of the provisions recommended by MFWP. (Application)
2. The property is not located within the MFWP-identified big-game winter range.
3. There are no species of special concern listed in the vicinity of the property, according to *Species and Communities of Special Concern*, published by the Montana Natural Heritage Program, October 10, 1995.

Conclusion of Law:

The proposed subdivision will not have any significant impacts on wildlife and wildlife habitat.

CRITERION 6: EFFECTS ON PUBLIC HEALTH AND SAFETY

Findings of Fact:

1. The subdivision will access off Centennial Lane, which was approved for the original Centennial subdivision and certified as meeting the current road standards (Exhibit A-3). Access to this subdivision is adequate for public health and safety.
2. The property is near the Montana Rail Link railroad. A notification of proximity to the railroad shall be included in the Notifications Document. (Condition 1)

3. Existing covenants require addresses to be posted at each driveway within the subdivision as soon as construction on a residence begins. (Application)
4. The subdivider shall provide evidence with the final plat submittal that they have applied for County-issued addresses. (Condition 6)
5. The proposed subdivision is located within the Corvallis Rural Fire District. Conditions 5 and 6 address the standard recommendations of the District.
6. Lots will be served by individual septic systems, and will connect into an existing communal water system that was approved for the Centennial subdivision. A plan showing the locations of the proposed connections is included within the application.
7. To mitigate the impacts of light pollution stemming from new construction, the existing protective covenants for the Centennial subdivision include a provision requiring full cut-off lighting with the exception of flag poles. The proposed lots will be party to the existing protective covenants. (Application)
8. There is a prevalence of radon in the County. To mitigate impacts on public health and safety, the existing protective covenants for the Centennial subdivision include a provision regarding radon exposure. The proposed lots will be party to the existing protective covenants. (Application)

Conclusion of Law:

The mitigating conditions and requirements of final plat approval will address impacts on public health and safety.

COMPLIANCE WITH:

1) THE SURVEY REQUIREMENTS PROVIDED FOR IN PART 4 OF M.C.A. 76-3.

Finding of Fact:

The Seal of a Professional Land Surveyor or Engineer is required on all final plats, which states that the subdivision complies with part 4 of M.C.A. 76-3.

Conclusion of Law:

This proposal meets the survey requirements, or conditions have been required to bring the proposal into compliance.

2) THE LOCAL SUBDIVISION REGULATIONS PROVIDED FOR IN PART 5 OF M.C.A. 76-3.

Finding of Fact:

Subdivisions are required to comply with the local subdivision regulations provided for in part 5 of M.C.A. 76-3.

Conclusion of Law:

The developer has submitted a plan which complies with the requirements of local subdivision regulations, or conditions have been required that will bring the plan into compliance.

3) THE LOCAL SUBDIVISION REVIEW PROCEDURE PROVIDED FOR IN THE RAVALLI COUNTY SUBDIVISION REGULATIONS

Findings of Fact:

1. Subdivisions are required to comply with the local subdivision review procedure provided for in the Ravalli County Subdivision Regulations.
2. A decision of the governing body rejecting or approving a proposed subdivision may be appealed to the district court within thirty (30) days of such decision. The petition shall specify the grounds upon which the appeal is made. An appeal may be made by the subdivider; a landowner with a property boundary contiguous to the proposed subdivision or a private landowner with property within the unincorporated area of the county that can show a likelihood of material injury to the landowner's property or its value; a first class municipality if the subdivision is within three miles of its limits, a second class municipality if a subdivision is within two miles of its limits, a third class municipality or town if the subdivision is within one mile of its limits. An aggrieved party means a person who can demonstrate a specific personal and legal interest, as distinguished from a general interest, who has been or is likely to be specially and injuriously affected by the decision.

Conclusion of Law:

This development plan proposal has followed the necessary application procedure and has been reviewed within the procedures provided in Chapter 3 of the Ravalli County Subdivision Regulations.

CONSISTENCY WITH EXISTING ZONING AND COVENANTS

Findings of Fact:

1. There is no existing zoning on the property.
2. Covenants were filed when the original subdivision was platted. These covenants will remain in effect and the newly created lots will become part of the existing homeowners' association.

Conclusions of Law:

The property has no zoning and the subdivision appears to comply with the existing covenants.

PROVISION OF EASEMENTS FOR UTILITIES

Finding of Fact:

The proposed subdivision will be served by Ravalli Electric Cooperative and Qwest Telephone. Utility certificates are a requirement of final plat approval.

Conclusion of Law:

Utility services will be available to this subdivision.

PROVISION OF LEGAL AND PHYSICAL ACCESS

Finding of Fact:

Physical and legal access for this subdivision is proposed via Centennial Lane and Willow Creek Road.

Conclusion of Law:

With the conditions of approval and requirements of final plat approval, the proposal meets physical and legal access requirements.

Corvallis School District #1

P. O. Box 700 / 1045 Main
Corvallis MT 59828

Phone: (406) 961-4211

Fax: (406) 961-5144

RECEIVED

AUG 04 2006
16-06-08-1241
Ravalli County Planning Dept.

Daniel B. Sybrant
Superintendent
961-4211

Trevor Laboski
Principal,
High School
961-3201

Jason Wirt
Asst. Principal,
High School
961-3201

Tom A. Miller
Principal,
Middle School
961-3007

Rich Durgin
Asst. Principal,
Middle School
961-3007

Janice Stranahan
Principal,
Primary School
961-3261

Virginia Haines
Special Services Dir.
961-3201

Russ Hendrickson
Technology Cord.
961-3201

Vannesa Bargfrede
Business Manager
District Clerk
961-4211

EXHIBIT A-1

Aug 3, 2006

Ravalli County Planning Department
215 South 4th Street, Suite F
Hamilton, MT 59840

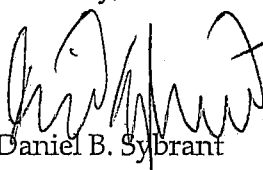
Dear Planning Board,

I have reviewed your letter in regards to the Centennial, Lot 14, AP (K & J Development), for a 2-lot expedited minor subdivision located off Centennial Lane.

We have no specific objection to this subdivision. As we have stated before, growth in student numbers continues to affect our district infrastructure and bussing system.

In general, we ask that appropriate student safety measures be considered when designing this subdivision. We also ask that you consider a reasonable per lot donation to the school district to help mitigate the impact on our school.

Sincerely,



Daniel B. Sybrant

dbb/lh



Montana Fish, Wildlife & Parks

Region 2 Office
3201 Spurgin Road
Missoula, MT 59804-3099
406-542-5500
May 2, 2006

Leonard Shepherd
Shepherd Survey
320 Adirondac Ave.
Hamilton, MT 59840

EXHIBIT A-2

Dear Mr. Shepherd:

Reference: Centennial, Lot 14 (K & J Development)--Proposed minor (2 lots on 1.0 acre) subdivision, Corvallis

We have reviewed the topographic map and preliminary plat for this subdivision, and our comments follow.

Although the proposed subdivision is on the east side of Corvallis, there are nearby agricultural fields and irrigation ditches, and Willow Creek is about one-third mile south. We believe there is a general possibility of human/wildlife interactions at this location. In particular, wildlife such as white-tailed deer, fox, skunk, and magpie could be found in the area, as well as possible black bear. Numerous small mammal and bird species might also be found nearby. We believe that "living with wildlife" issues should be conveyed as part of the covenants (or as a development covenant) to future residents in this subdivision, in order to help them deal with and avoid potential wildlife issues. We do not know if the parent subdivision (Centennial "Phase 1") contains such covenants, but if not, then we recommend the enclosed version as a development covenant for this subdivision.

Thank you for providing the opportunity for MFWP to comment on this subdivision.

Sincerely,

Mack Long
Regional Supervisor

ML/sr

Enclosure: "Living with Wildlife" covenants

C: Ravalli County Planning Department, Attn: Renee Van Hoven, 215 S. 4 St., Ste. F, Hamilton, MT 59840

Recommended Development Covenant for Centennial, Lot 14 (K&J Development) subdivision, suggested by Montana Fish, Wildlife & Park; Missoula; May 1, 2006

Section ____: Living with Wildlife

Homeowners must accept the responsibility of living with wildlife and must be responsible for protecting their vegetation from damage, confining their pets, and properly storing garbage, pet food, livestock feed and other potential attractants. Homeowners must be aware of potential problems associated with the occasional presence of wildlife such as deer, black bear, mountain lion, coyote, fox, skunk, and magpie. Please contact the Montana Fish, Wildlife & Parks office in Missoula (3201 Spurgin Road, Missoula, MT 59804) for brochures that can help homeowners "live with wildlife." Alternatively, see FWP's web site at www.fwp.mt.gov.

The following covenants are designed to help minimize problems that homeowners could have with wildlife, as well as helping homeowners protect themselves, their property and the wildlife that Montanans value.

1. Homeowners must be aware of the potential for **vegetation damage by wildlife**, particularly from deer feeding on green lawns, gardens, flowers, ornamental shrubs and trees in this subdivision. Homeowners should be prepared to take the responsibility to plant non-palatable vegetation or protect their vegetation (fencing, netting, repellents) in order to avoid problems. Also, consider landscaping with native vegetation that is less likely to suffer extensive feeding damage by deer.
2. **Gardens and fruit trees** can attract wildlife such as deer and bears. Keep produce and fruit picked and off the ground, because rotting vegetable material can attract bears, skunks and other wildlife. To help keep wildlife such as deer out of gardens, fences should be 8 feet or taller. Netting over gardens can help deter birds from eating berries.
3. **Garbage** should be stored in secure animal-resistant containers or indoors to avoid attracting animals such as bears, raccoons, and dogs. It is best not to set garbage cans out until the morning of garbage pickup.
4. **Do not feed wildlife** or offer supplements (such as salt blocks), attractants, or bait for deer or other wildlife. Feeding wildlife results in unnatural concentrations of animals that could lead to overuse of vegetation and disease transmission. Such actions unnecessarily accustom wild animals to humans, which can be dangerous for both. It is against state law (MCA 87-3-130) to purposely or knowingly attract bears with supplemental food attractants (any food, garbage, or other attractant for game animals) or to provide supplemental feed attractants in a manner that results in "an artificial concentration of game animals that may potentially contribute to the transmission of disease or that constitutes a threat to public safety." Also, homeowners must be aware that deer might occasionally attract mountain lions to the area.
5. **Birdseed** can attract bears. If used, bird feeders should: a) be suspended a minimum of 20 feet above ground level, b) be at least 4 feet from any support poles or points, and c)

should be designed with a catch plate located below the feeder and fixed such that it collects the seed knocked off the feeder by feeding birds.

6. **Pets** must be confined to the house, in a fenced yard, or in an outdoor kennel area when not under the immediate control of the owner, and not be allowed to roam as they can chase and kill big game and small birds and mammals. Keeping pets confined also helps protect them from predatory wildlife. Under current state law it is illegal for dogs to chase hooved game animals and the owner may also be held guilty (MCA 87-3-124).
7. **Pet food** should be stored indoors, in closed sheds or in animal-resistant containers in order to avoid attracting wildlife such as bears, mountain lions, skunks, raccoons, and other wildlife. **When feeding pets** do not leave food out overnight. Consider feeding pets indoors so that wild animals do not learn to associate food with your home.
8. **Barbecue grills** should be stored indoors. Keep all portions of the barbecues clean. Food spills and smells on and near the grill can attract bears and other wildlife.
9. Consider **boundary fencing** that is no higher than 3-1/2 feet (at the top rail or wire) and no lower than 18 inches (at the bottom rail or wire) in order to facilitate wildlife movement and help avoid animals such as deer becoming entangled in the fence or injuring themselves when trying to jump the fence. We encourage the use of split rail fences.
10. **Compost piles** can attract skunks and bears. If used they should be kept indoors or built to be wildlife-resistant. Compost piles should be limited to grass, leaves, and garden clippings, and piles should be turned regularly. Adding lime can reduce smells and help decomposition. Do not add food scraps. (Kitchen scraps could be composted indoors in a worm box with minimum odor and the finished compost can later be added to garden soil.)
11. These "living with wildlife" covenants cannot be altered or eliminated without consent of the governing body (county commissioners).

Shaun Morrell

From: Tristan Riddell
Sent: Thursday, July 20, 2006 4:25 PM
To: Shaun Morrell
Subject: FW:

EXHIBIT A-3

-----Original Message-----

From: David Ohnstad
Sent: Thursday, July 20, 2006 4:12 PM
To: Tristan Riddell
Subject: RE:

We will accept this roadway as being constructed to the current county standard.

From: Tristan Riddell
Sent: Monday, July 17, 2006 1:07 PM
To: David Ohnstad
Subject: FW:

David,

We are reviewing subdivision proposals for Lots 14 and 17 of the existing Centennial subdivision east of Corvallis.

The applicant for Centennial Lot 14 AP (parcel #103303) is required to provide certification that Centennial Lane meets current road standards from Willow Creek Road to the point where the proposed lots access (see attached plat). The applicant has submitted the original road certification – which was conducted under the old standards – and a letter from Howard Anderson asserting that the road meets or exceeds the current standards.

Please review the attached documents and confirm whether the subject portion of the road meets our requirements. If you need more information to make this determination, please let us know.

Thank you,

Shaun Morrell & Tristan Riddell
Ravalli County Planning Department
215 S. 4th St., Suite F
Hamilton, MT 59840
(406) 375-6530
smorrell@ravalliacounty.mt.gov


SUBDIVISION APPLICATION PACKET CHECKLIST - Water and Sanitation Information Per MCA 76-3-622

Name of Subdivision: CENTENNIAL SUBDIVISION, LOT 14, RRSubdivider/Landowner Name(s): K&JConsultant Name: BR ENGINEERING

EXHIBIT A-4

Date Received: 1-06 Sufficiency Review Due Date:

Yes	No	N/A	Item	Additional Information/Staff comments
			(1) Unless the land division is excluded from review under 76-4-125(2), the subdivider shall submit to the information listed below for proposed subdivisions that will include new water supply or wastewater facilities.	
<input checked="" type="checkbox"/>			Provide two copies of the following information with a check paid to RCEHD for their \$50.00 sufficiency review fee.	
<input checked="" type="checkbox"/>			(a) Vicinity Map or Plan	
<input checked="" type="checkbox"/>			(i) The location, within 100 feet outside of the exterior property line of the subdivision and on the proposed lots, of:	
<input checked="" type="checkbox"/>			(A) flood plains	
<input checked="" type="checkbox"/>			(B) surface water features	
<input checked="" type="checkbox"/>			(C) springs	
<input checked="" type="checkbox"/>			(D) irrigation ditches	
<input checked="" type="checkbox"/>			(E) existing, previously approved, and, for parcels less than 20 acres, proposed water wells and wastewater treatment systems	
<input checked="" type="checkbox"/>			(F) for parcels less than 20 acres, mixing zones identified as provided in subsection (1)(g);	
<input checked="" type="checkbox"/>			(G) the representative drainfield site used for the soil profile description as required under subsection (1)(d)	
<input checked="" type="checkbox"/>			(ii) The location, within 500 feet outside of the exterior property line of the subdivision, of public water and sewer facilities	
<input checked="" type="checkbox"/>			(b) A description of the proposed subdivision's water supply systems, storm water systems, solid waste disposal systems, and wastewater treatment systems, including whether the water supply and wastewater treatment systems are individual, shared, multiple user, or public as those systems are defined in rules published by DEQ.	
<input checked="" type="checkbox"/>			(c) A drawing of the conceptual lot layout at a scale no smaller than 1" = 200' that shows all information required for a lot layout document in rules adopted by the DEQ pursuant to 76-4-104.	



Yes	No	N/A	Item	Additional Information/Staff comments
/			(d) Evidence of suitability for new onsite wastewater treatment systems that, at a minimum, includes:	
/			(i) A soil profile description from a representative drainfield site identified on the vicinity map, as provided in subsection (1)(a)(i)(G), that complies with standards published by DEQ.	
/			(ii) Demonstration that the soil profile contains a minimum of 4 feet of vertical separation distance between the bottom of the permeable surface of the proposed wastewater treatment system and a limiting layer.	
/			(iii) In cases in which the soil profile or other information indicates that ground water is within 7 feet of the natural ground surface, evidence that the ground water will not exceed the minimum vertical separation distance provided in subsection (1)(d)(ii);	
/			(e) For new water supply systems, unless cisterns are proposed, evidence of adequate water availability:	
/			(i) obtained from well logs or testing of onsite or nearby wells;	
/			(ii) obtained from information contained in published hydrogeological reports; <u>OR</u>	
/			(iii) as otherwise specified by rules adopted by DEQ pursuant to 76-4-104;	
/			(f) Evidence of sufficient water quality in accordance with rules adopted by DEQ pursuant to 76-4-104;	
/			(g) A preliminary analysis of potential impacts to ground water quality from new wastewater treatment systems, using as guidance rules adopted by the board of environmental review pursuant to 75-5-301 and 75-5-303 related to standard mixing zones for ground water, source specific mixing zones, and nonsignificant changes in water quality.	The preliminary analysis may be based on currently available information and must consider the effects of overlapping mixing zones from proposed and existing wastewater treatment systems within and directly adjacent to the subdivision. Instead of performing the preliminary analysis required under this subsection (1)(g), the subdivider may perform a complete nondegradation analysis in the same manner as is required for an application that is reviewed under Title 76, chapter 4.

